IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 5079 of 2004

Between:

Sri Avu Devatha and Eddu Devatha Deities, rep.by its Founder Trustee
K.Govinda Reddy, S/o.late Sidda Reddy
R/o.D.No.4/645, Dr.A.P.Street, Near Old Bus Stand, Kadapa.

..... PETITIONER

AND

1 The Commissioner of Endowments, Government of A.P. Tilak

Road, Abids, Hyderabad.

2 The Deputy Commissioner, Endowments Department Kurnool,

Kurnool district.

3 The Assistant Commissioner, Endowments Department Kadapa,

Kadapa District.

4 Chintala Veera Nagi Reddy, S/o.Malreddy R/o.Polimerapalli, H/o

Rachapalli Village, Ramapuram Mandal, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents particularly respondents No.1 to 3 in not taking any action against the 4th respondent on the representations made by the petitioner dated 13.09.2002 and 16.8.2003 though the 4th respondent is commiting great loss and dis-reputation to the temple as illegal, unjust, arbitrary, dilatory and also against the statutory provisions including Sec.8 of A.P.Charitable Hindu Religious Institutions & Endowments Act and consequently direct the respondents 1 to 3 to take urgent and necessary action against the 4th respondent as per the representations of the petitioner dated 13.9.2002 and 16.8.2003.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondent Nos.1 to 3 : GP FOR ENDOWMENTS

Counsel for the Respondent No.4:- Notice sent, not returned served.

The Court made the following :

HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 5079 of 2004

ORDER:

Heard both the learned counsel and at their request, the main writ petition itself is taken up for disposal.

The petitioner herein, a charitable institution, filed this writ petition, *inter alia,* as against the non-consideration of the comprehensive revision filed by it on 13th September, 2002 and also the registered notice issued by it on 16-08-2003.

It is the case of the petitioner that the tenants, who are in possession, are not paying any rents and as a result, the petitioner-institution is suffering and no action is being taken by the respondents in spite of such representation.

In view of the same, it is not necessary to go into the merits of the case. However, it would be suffice, in the interest of justice, to direct the respondents herein to consider the aforesaid representation. Accordingly, the respondents are directed to consider

the representation of the petitioner and pass necessary orders and take action in accordance with law within a period of three months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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KVR/SKMR 29th July, 2004

To

1 The Commissioner of Endowments, Government of A.P. Tilak

Road, Abids, Hyderabad.

2 The Deputy Commissioner, Endowments Department Kurnool,

Kurnool district.

3 The Assistant Commissioner, Endowments Department Kadapa,

Kadapa District.

4 Two C.Cs to the GP for Endowments, High Court Buildings. AP

High Court, Hyderabad (O.U.T.)

5 Two C.D.Copies.